



U.S. Department of Justice

United States Attorney  
 Southern District of New York

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Jacob K. Javits Federal Building  
 26 Federal Plaza, 38th Floor  
 New York, New York 10278

September 21, 2024

**Application Granted.** The status conference currently scheduled for September 24, 2024, is adjourned to **October 28, 2024, at 10:30 a.m.** The Court finds that the ends of justice served by excluding the time between today and October 28, 2024, outweigh the best interests of the public and the Defendant in a speedy trial as provided in 18 U.S.C. § 3161(h)(7)(A) because it will allow the parties time to produce and review discovery and for the Defendant to evaluate whether to file any pretrial motions. It is hereby ORDERED that the time between today and October 28, 2024, is excluded. The Clerk of the Court is directed to terminate the letter motion at docket number 16.

Dated: September 23, 2024

New York, New York

Re: United States v. Sue Mi Terry, 24 Cr. 427 (LGS)

LORNA G. SCHOFIELD  
 UNITED STATES DISTRICT JUDGE

Dear Judge Schofield:

The parties write jointly to request an adjournment of the upcoming September 24 status conference to allow the Government to continue producing unclassified discovery and to permit the defendant to evaluate what, if any, motions she may seek to make based on that discovery. This is the first such request.<sup>1</sup>

As background, on July 24, 2024, the Court endorsed the parties' joint proposal for a status conference in late September based on the Government's expectation that it would substantially complete unclassified discovery before August 26, 2024. (See Dkt. No. 13). Since that time, the Government has made three discovery productions containing approximately 2.25 terabytes of data, including a production of 92 gigabytes of data yesterday. At present, there remains certain limited categories of discovery on the systems of the Federal Bureau of Investigations ("FBI") that the Government and FBI are working to export from FBI systems. The Government anticipates that these categories of discovery will be fully exported in the coming weeks.

In light of the foregoing, the parties jointly propose an adjournment of the upcoming September 24, 2024 status conference for approximately four to five weeks, to the week of October 21 or October 28, 2024, with the exception of October 31, 2024. Such an adjournment will allow the Government to continue to produce discovery and the defendant to evaluate that discovery. At that time, the parties would be in a better position to propose to the Court a joint motion and pretrial schedule.

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<sup>1</sup> The parties finalized their joint letter requesting an adjournment yesterday, Friday, September 20, 2024, prior to the Court's deadline for adjournments at noon two business days prior to the conference. The Government inadvertently did not file this joint letter and apologizes for the late request.

Finally, the Government moves, with the consent of the defendant, to exclude Speedy Trial time until the date of the status conference in order for the parties to produce and review discovery, to consider potential motions, and to discuss any pretrial resolution of the case. *See 18 U.S.C. § 3161(h)(7).*

Respectfully submitted,

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